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Agenda item 123
Human resources management

Draft resolution submitted by the Chairman following informal consultations

Human resources management

The General Assembly,

Recalling Articles 8, 97, 100 and 101 of the Charter of the United Nations,

Reaffirming its resolutions 49/222 A and B of 23 December 1994 and 20 July 1995, 51/226 of 3 April 1997, 52/219 of 22 December 1997, 52/252 of 8 September 1998 and 53/221 of 7 April 1999, as well as its other relevant resolutions and decisions, and subject to the provisions of the present resolution,

Having considered the relevant reports on human resources management questions submitted by the Secretary-General to the General Assembly for consideration during its fifty-fifth session[1] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[2]

Reaffirming that the staff of the United Nations is an invaluable asset of the Organization, and commending its contribution to furthering the purposes and principles of the United Nations,

Aware of the views expressed by the staff representatives in the Fifth Committee,[3] in accordance with General Assembly resolution 35/213 of 17 December 1980,

Paying tribute to the memory of all staff members who have lost their lives in the service of the Organization,

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[1] A/53/955, A/54/257, A/54/279 and Corr.1, A/54/793, A/55/57 and Add.1, A/55/59 and Add.1, A/55/168, A/55/253 and Corr.1, A/55/270, A/55/352 and Corr.1, A/55/397, A/55/399 and Corr.1, A/55/423 and Add.1, A/55/427, A/55/451, A/55/494, A/55/728 and A/55/798 and Add.1 and A/C.5/54/2, A/C.5/54/21, A/C.5/54/L.3, A/C.5/55/13, A/C.5/55/36 and A/C.5/55/L.3.

[2] A/54/450, A/55/499, A/55/514 and A/55/658.

[3] See A/C.5/55/SR.18.

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I. Principles and role of the Office of Human Resources Management of the Secretariat

Reaffirms the principles set out in section I of its resolution 53/221 concerning human resources management and the role of the Office of Human Resources Management of the Secretariat as set out in section II of that resolution;

II. Human resources planning

Reaffirms the provisions contained in section III of its resolution 53/221;

III. Contractual arrangements

Having considered the proposals of the Secretary-General on new contractual arrangements,[4]

1. *Decides* to revert to this issue at its fifty-seventh session;

2. *Requests* the Secretary-General to submit to the General Assembly for its consideration his definitive proposals, in accordance with the steps outlined in paragraph 50 of his report, on new contractual arrangements, spelling out the differences between existing and proposed types of appointments;

IV. Recruitment and placement

Recognizing the value of a transparent process of recruitment, placement and promotion in the Organization,

Having considered the proposals of the Secretary-General concerning changes to the system of recruitment, placement and promotion,[5]

1. *Endorses* the views and recommendations of the Advisory Committee on Administrative and Budgetary Questions in paragraphs 8 to 11 and annex VIII to its report,[6] subject to the provisions of the present resolution;

2. *Requests* the Secretary-General to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard to the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations;

3. *Reiterates* that all external vacancy announcements should be submitted to the permanent missions of Member States and be displayed on the notice boards in United Nations premises, as well as posted on the United Nations home page, decides that they should be effectively circulated on the date of issue and that the deadline for the submission of applications should be at least two months from the date of issue and, for unplanned vacancies, such as, inter alia, death or sudden departure of staff, the Secretary-General may reduce the deadline for applications for external vacancies to 30 days if he deems it to be in the best interests of the Organization, and requests the Secretary-General to report to the General Assembly thereon;

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[4] A/55/253, paras. 45-50 and annex IV.

[5] A/55/253, paras. 33-37 and annex II.

[6] A/55/499.

4. *Requests* the Secretary-General to circulate internal vacancy announcements to permanent missions when issued;

5. *Requests* the Secretary-General to issue electronically a monthly bulletin that would encompass all Professional and General Service vacancies in the United Nations, including peacekeeping operations, without prejudice to the traditional means of dissemination of vacancy announcements;

6. *Reaffirms* that the Secretary-General may consider external candidates for posts at the P-4 level, with due regard to geographical distribution, while giving fullest regard in filling those posts to candidates with the requisite qualifications and experience already in the service of the United Nations;

7. *Requests* the Secretary-General to have the Office of Human Resources Management maintain and supervise the recruitment process to ensure that the principle of equitable geographical distribution and the goal of gender balance are respected, in accordance with General Assembly resolutions 42/220 A of 23 December 1987, 51/226 and 53/221, including through the appropriate screening of candidates from such a viewpoint;

8. *Emphasizes* the need to increase the number of staff recruited from unrepresented and under-represented Member States, requests the Secretary-General to make further efforts to reduce the level of under-representation of Member States and the number of unrepresented Member States, and also requests the Secretary-General to develop a programme and set specific targets as soon as possible for achieving equitable geographical representation for all unrepresented and under-represented Member States, bearing in mind the need to increase the number of staff recruited from Member States below the mid-point of their desirable ranges and to report to the General Assembly thereon at its fifty-seventh session;

9. *Requests* the Secretary-General, while filling vacant posts in the language services of the Secretariat, to ensure the highest performance of translation and interpretation in all six official languages;

10. *Reaffirms* that the national competitive examination programme is a useful tool for selecting the best-qualified candidates from inadequately represented Member States, and requests the Secretary-General to continue to hold the examinations for posts subject to geographical distribution at the P-2 and, if necessary, P-3 levels;

11. *Requests* the Secretary-General to continue to offer probationary appointments to all staff members who have passed a competitive recruitment examination and to consider such staff members for conversion to permanent appointment after successful completion of the probationary service;

12. *Regrets* that despite section V, paragraph 19, of its resolution 53/221 and according to paragraph 52 of the report of the Office of Internal Oversight Services of the Secretariat on the follow-up audit of the recruitment process in the Office of Human Resources Management,[7] some programme managers are still reluctant to recruit candidates selected through national competitive examinations, leaving many P-2 posts vacant, and requests the Secretary-General to take concrete measures to fill those posts expeditiously from the existing roster of successful candidates;

[7] A/55/397.

13. *Urges* the Secretary-General to comply strictly with the principle that appointment to P-2 posts and to posts requiring special language competence for conference services be made exclusively through competitive examinations, and requests, in this context, that he include in his future reports the information justifying non-compliance with that principle;

14. *Reaffirms* the policy that appointments at the P-3 level shall normally be made through competitive examinations;

15. *Requests* the Secretary-General to ensure that candidates selected through national competitive examinations are placed in a timely fashion and that special efforts are made to recruit candidates from the national competitive examinations roster against existing vacancies until these rosters are cleared;

16. *Regrets* that the provisions of section V, paragraph 22, of its resolution 53/221 were not fully complied with, which led to candidates from over-represented countries taking the examination for promotion to the Professional category of staff members from other categories in February 2000, and decides, as a one-time exception, to allow the movement of successful candidates from the 2000 examination from the General Service category to the Professional category;

17. *Notes* the efforts made by the Secretary-General to align the examination for promotion to the Professional category of staff members from other categories with the national competitive examinations, as required under section V, paragraph 22, of resolution 53/221, and decides that henceforth recruitment of qualified staff from the General Service category to the Professional category should be limited to the P-1 and P-2 levels and be permitted up to 10 per cent of the appointments at those levels;

18. *Emphasizes* the need for a systematic rejuvenation of the Secretariat and for retaining younger Professional staff, particularly in the light of the age profile of the staff of the Organization;

19. *Reaffirms* that secondment from government service is consistent with Articles 100 and 101 of the Charter and is beneficial to both the Organization and Member States, and urges the Secretary-General to pursue this practice on a wider scale;

20. *Takes note* of the recommendations of the report of the Joint Inspection Unit on senior-level appointments in the United Nations and its programmes and funds,[8] and notes the comments of the Secretary-General thereon;[9]

21. *Reiterates* that the recruitment, appointment and promotion of staff shall be made without distinction as to race, sex or religion, in accordance with principles of the Charter and the provisions of the Staff Regulations and Rules of the United Nations;

22. *Requests* the Secretary-General to ensure, without exception, the uniform application of the Staff Regulations and Rules of the United Nations in all departments of the Secretariat, in accordance with the relevant resolutions of the General Assembly;

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[8] A/55/423.

[9] A/55/423/Add.1.

23. *Notes* paragraphs 62 to 66 of the report of the Secretary-General,[10] and requests the Secretary-General to conduct an inspection through the Office of Internal Oversight Services on the issue of possible discrimination due to nationality, race, sex, religion and language in recruitment, promotion and placement, and to report thereon to the General Assembly at its fifty-sixth session;

V. Mobility

Recognizing the value of staff mobility in the Organization,

Recognizing also that the requirement for mobility is one of the essential elements of contractual status of staff,

Having considered the recommendations of the Secretary-General on mobility[11] and the related views of the Advisory Committee on Administrative and Budgetary Questions,[6]

1. *Requests* the Secretary-General to develop further criteria for mobility to maximize its benefits for the Organization and to ensure the fair and equitable treatment of all staff and to avoid its possible abuse as an instrument of coercion against staff, taking into account job security in the Organization and other relevant factors, such as an appropriate incentive scheme and assurances of onward assignment;

2. *Requests* the International Civil Service Commission to conduct a comprehensive review of the question of mobility and its implications on career development of staff members in the United Nations system and report thereon to the General Assembly at its fifty-seventh session;

3. *Notes* the difference between mobility within a duty station and mobility across duty stations, and considers that the latter should be a more important factor in career development;

4. *Requests* the Secretary-General to develop further appropriate mechanisms for promotion with a view to introducing adequate incentives for mobility between duty stations, including the possibility of promotion for staff subject to such mobility;

5. *Also requests* the Secretary-General to ensure that lateral mobility does not negatively affect the continuity and quality of the services required for the implementation of mandated programmes and activities;

6. *Stresses* that mobility of staff should not lead to the transfer or abolition of posts as a result of vacancy;

7. *Requests* the Secretary-General to propose solutions to the problems resulting from increasing staff mobility;

8. *Also requests* the Secretary-General to encourage and recognize outstanding job performance of United Nations staff, especially in exceptional circumstances;

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[10] A/55/427.

[11] A/55/253, paras. 38-44 and annexes III and X.

VI. Proposed amendment to staff rule 104.14

Decides to approve the proposed amendment to staff rule 104.14,[12] subject to the following provisions:

(a) The central review bodies shall review the recruitment process for compliance with the pre-approved selection criteria and shall offer recommendations. Where these recommendations are not in line with those of the relevant manager, it shall transmit its recommendations to the Secretary-General for a final decision who shall give due consideration to the recommendations of the central review bodies;

(b) The three staff representatives and the alternates shall be selected by the appropriate staff representative body;

(c) One additional member of the Central Review Boards shall be selected jointly by the representatives of the Secretary-General and the staff members appointed to the Boards;

(d) Members of the Central Review Boards, and alternates if any, shall be appointed for a period of two years and shall serve for a maximum of four years;

(e) Delete the last phrase in the proposed amendment to staff rule 104.14 in paragraph (i) (ii) "in accordance with procedures established by the Secretary-General", dealing with the review function of the Central Review Boards/bodies;

VII. Delegation of authority and accountability

Reiterating section IV of its resolution 53/221, in which it requested the Secretary-General, inter alia, to ensure, before delegating authority to programme managers, that well-designed mechanisms of accountability, including the necessary internal monitoring and control procedures, as well as training, are put in place,

1. *Endorses* the views and recommendations on accountability and responsibility and on management irregularities of the Advisory Committee on Administrative and Budgetary Questions in paragraphs 22 and 23 of its report;[6]

2. *Emphasizes* that the administrative and managerial discretionary powers of the Secretary-General should be in conformity with the relevant provisions of the Charter of the United Nations and the staff, financial and programme planning regulations and mandates given by the General Assembly;

3. *Reiterates* that every staff member of the United Nations shall be responsible and accountable to the Secretary-General, in accordance with financial rule 114.1 and staff rule 112.3;

4. *Emphasizes* that any delegation of authority should be in accordance with the Charter and the Staff Regulations and Rules of the United Nations and should entail clear lines of authority and accountability as well as improvements in the administration of justice, taking into account the central role played by the Office of Human Resources Management in setting the policies and guidelines in respect of the human resources management of the Organization and monitoring their observance and implementation;

[12] A/55/253, annex X.

5. *Stresses* that rules and regulations governing separation from service shall be followed strictly;

6. *Recalls its request* to the Secretary-General in section II, paragraph 2, of its resolution 51/226, as reiterated in section IV, paragraph 10, of its resolution 53/221, to enhance managerial accountability with respect to human resources management decisions, including imposing sanctions in cases of demonstrated mismanagement of staff and wilful neglect of, or disregard for, established rules and procedures, while safeguarding the right of due process of all staff members, including managers, and urges the Secretary-General to continue to seek improvements in this area;

7. *Requests* the Secretary-General to continue to improve accountability and responsibility in the reform of human resources management as well as the monitoring and control mechanisms and procedures and to report on the implementation of his proposals to the General Assembly at its fifty-seventh session;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-seventh session on the progress achieved, including with regard to management irregularities;

9. *Reaffirms* that, in accordance with staff regulation 1.2, staff members shall not be actively associated with the management of, or hold a financial interest in, any profit-making, business or other concern, if it were possible for the staff member or the profit-making, business or other concern to benefit from such association or financial interest by reason of his or her position with the United Nations;

10. *Decides* to consider further the issue of a robust monitoring capacity in the Office for Human Resources Management for the monitoring of all relevant activities in the Secretariat, regardless of their source of funding, and requests the Secretary-General to provide an analytical and thorough report thereon to the General Assembly at its fifty-sixth session;

VIII. Streamlined rules and procedures

Notes the ongoing efforts of the Secretary-General mentioned in paragraphs 27 to 32 of his report[13] regarding the elimination of documentation relating to obsolete and redundant rules and procedures, and requests the Secretary-General to report to the General Assembly at its fifty-sixth session on the details of the documentation being eliminated;

IX. Consultants

Decides to consider the question of the use of consultants and individual contractors at its fifty-sixth session, and requests the Advisory Committee on Administrative and Budgetary Questions to report to the General Assembly at the main part of its fifty-sixth session on the relevant reports of the Secretary-General[14] and the Joint Inspection Unit;[15]

[13] A/55/253.

[14] A/55/321 and A/55/451.

[15] A/55/59 and Add.1.

X. Composition of the Secretariat

Noting that the relative weight of the population factor in the calculation of desirable ranges for the implementation of posts was reduced to 5 per cent from 7.2 per cent in section III of General Assembly resolution 42/220 A of 21 December 1987,

Also noting that posts subject to geographical distribution have witnessed a decrease, from 3,350 to 2,700 to the current 2,600,

Further noting the increase in the number of Member States and the gradual decrease in the number of unrepresented and under-represented Member States in the Secretariat,

Bearing in mind that new scales of assessment, which will have a direct bearing on the desirable ranges currently being followed, were adopted by the General Assembly on 23 December 2000,[16]

1. *Reaffirms* that, in accordance with its resolutions 41/206 A of 11 December 1986 and 53/221 of 7 April 1999, no post should be considered the exclusive preserve of any Member State or group of States, including at the highest levels, and requests the Secretary-General to ensure that, as a general rule, no national of a Member State succeeds a national of that State in a senior post and that there is no monopoly on senior posts by nationals of any State or group of States;

2. *Requests* the Secretary-General to take all the necessary measures to ensure, at the senior and policy-making levels of the Secretariat, equitable representation of Member States, especially those with inadequate representation at those levels, unrepresented and under-represented, in particular developing countries, in accordance with the relevant resolutions of the General Assembly, and to continue to include relevant information thereon in all future reports on the composition of the Secretariat;

3. *Reiterates its request* to the Secretary-General to increase further his efforts to improve the composition of the Secretariat by ensuring a wide and equitable geographical distribution of staff in all departments;

4. *Requests* the Secretary-General to undertake a study, in the context of the report on the composition of the Secretariat as of 30 June 2002, on the ramifications of changing the relative weights of the population factor from the current level of 5 per cent, the membership factor (from 40 per cent) and the contribution factor (from 55 per cent);

XI. Administration of justice

1. *Decides* to include in the provisional agenda of its fifty-sixth session the item entitled "Administration of justice";

2. *Notes with concern* that the present system for the administration of justice at the United Nations is slow and cumbersome;

3. *Welcomes* the proposal of the Secretary General to establish a function of ombudsman;

[16] Resolutions 55/5 B and 55/235.

4. *Requests* the Secretary-General, after consultations with the staff, to submit to the General Assembly a report on possible amendments to the staff rules and regulations and to review the role of the Joint Appeals Board, taking into account the following four options:

(a) The current nature of the Joint Appeals Board as an advisory body, with the following changes:

(i) Members representing the staff shall be elected solely by the staff without prejudice to the right of the Secretary-General to appoint members representing the administration;

(ii) Jointly selecting the chairpersons and examining the need for a full time chairperson;

(iii) The current power of the Board to suspend action on a contested decision;

(iv) Limiting the time available for the Board to produce its report and recommendations to three months from the date of receipt of the application;

(b) The current nature of the Board;

(c) Changing the nature of the Board from an advisory body to a semi-judicial body with the power to take decisions;

(d) Other changes that might flow from these consultations;

5. *Requests* the Secretary-General to report to the General Assembly on an annual basis on the outcome of the work of the Joint Appeals Board;

6. *Welcomes* the intention of the Secretary-General to organize basic legal training courses for new members of the Joint Appeals Board and joint disciplinary committees;

7. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions that there is a gap between the statutes of the United Nations Administrative Tribunal and the Administrative Tribunal of the International Labour Organization with respect to specific performance of an obligation and compensation limits, and requests the Secretary-General to take necessary measures to close the gap as appropriate between the statutes of the two Tribunals;

8. *Requests* the Secretary-General to establish a clear linkage between the administration of justice and the system of accountability when the decisions of the Administrative Tribunal result in losses to the Organization due to management irregularities;

9. *Requests* the Secretary-General to take urgent measures in accordance with financial rule 114.1 and staff rule 112.3 to recover financial losses caused to the Organization by wrongful actions or gross negligence of senior officials of the United Nations, in particular as a result of the judgements of the Administrative Tribunal, and to report thereon to the General Assembly at its fifty-seventh regular session, taking into account section IV, paragraph 10, of General Assembly resolution 53/221;

10. *Takes note* of the intention of the Joint Inspection Unit to continue its study of the possible need for higher-level jurisdiction in consultation with all organizations of the United Nations system, bearing in mind the national legal systems of States Members of the United Nations, and requests the Joint Inspection Unit to report thereon to the General Assembly at its fifty-seventh session;

11. *Requests* the Secretary-General to report to the General Assembly at its fifty-sixth session on the implementation of section XI of the present resolution;

XII. Conditions of service

1. *Endorses* the recommendation of the Advisory Committee on Administrative and Budgetary Questions in paragraph 19 of its report[14] that a competitive package of conditions of service is a prerequisite for the successful achievement of goals of human resources management reform, and requests the Secretary-General to transmit to the International Civil Service Commission these recommendations having direct impact on the United Nations common system, with the request that it report to the General Assembly at its fifty-seventh session, so as to enable the Assembly to make a final decision;

2. *Requests* the Secretary-General to study the implications of fixing the mandatory age of separation for staff members appointed prior to 1 January 1990 to the current age of sixty-two years and to report thereon to the General Assembly at its fifty-sixth session;

3. *Emphasizes* that the Organization requires a good working environment and a comprehensive compensation package to attract and retain high-quality staff;

XIII. Competencies, performance management and career development

1. *Emphasizes* the necessity for the United Nations to develop a culture of continuous learning, and welcomes the progress made in this regard, and stresses the role of the United Nations Staff College to this effect as an institution for the system-wide management of knowledge, training and continuous learning for the staff of the United Nations system, aimed, in particular, at the areas of economic and social development, peace and security and internal management of the United Nations system;

2. *Agrees* with the goal of the Secretary-General to create a fair, equitable, transparent and measurable system of performance management throughout the Secretariat, and underlines the importance of creating a comprehensive career development system;

3. *Endorses* the proposals of the Secretary-General concerning performance management and career development, bearing in mind the provisions of the present resolution, and requests the Secretary-General to report to the General Assembly at its fifty-seventh session on the implementation of his proposals;

XIV. Status of women in the Secretariat

Reaffirming that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibility for administrative and budgetary matters related to the question of the status of women in the Secretariat,

1. *Reaffirms* the provisions of section X of its resolution 53/221, and recalls its resolution 55/69;

2. *Urges* the Secretary-General to intensify his efforts to achieve the goal of 50/50 gender distribution reaffirmed in section X, paragraph 3, of resolution 53/221;

XV. Reports of the Office of Internal Oversight Services

1. *Takes note* of the report of the Office of Internal Oversight Services on the follow-up audit of the recruitment process in the Office of Human Resources Management;[7]

2. *Also takes note* of the report of Office of Internal Oversight Services on the proactive investigation of the education grant entitlement;[17]

XVI

Requests the Secretary-General to submit to the General Assembly for consideration at its fifty-seventh session a detailed report on the results of the implementation of the provisions of the present resolution.

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[17] A/55/352 and Corr.1.